Remarks/Arguments

Claims 1 - 8 are pending.

Rejection of claims 1 - 8 under 35 USC 103(a) as being unpatentable over Hosoi et al.

Claims 1 and 7 have been amended to more clearly and distinctly claim the subject matter that applicant regards as his invention. Support for the present amendment may be found on page 11, lines 1-15, for example. Applicant submits Claims 1 and 7 are patentably distinguishable over the cited prior art references for at least those reasons discussed below.

To establish a prima facie case of obviousness, all of the recited claim limitations must be taught or suggested in the prior art. *See, MPEP 2143.03; see also, In re. Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).* Further, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine reference teachings. *See, M.P.E.P. 706.02(j).* Further yet, the teaching or suggestion to make the claimed combination must be found in the prior art, and not based on the applicant's own disclosure. *In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).*

Amended Claim 1 recites in relevant part,

> wherein a local temperature estimation is performed for the corresponding blocks of the display based on said local power values and the previously estimated local temperature values according to the formula:
>
> $$T(i,j)_t = T(i,j)_{t-1} + a \cdot P(i,j)_t - D$$

> where $T(i,j)_t$ is the new estimated local temperature of a block, where $T(i,j)_{t-1}$ is the previous estimated local temperature of a block, where $a \cdot P(i,j)_t$ is the power being dissipated in the block and D is the power dissipation corresponding to the heat being given to the environment, wherein in the estimated local temperature values the maximum local temperature in the display is selected, wherein a further step of maximum power level limit determination is performed based on the maximum local temperature, and wherein the power level limit is used to restrict the range of selectable power level modes in the power level mode selection process to power level modes having a power level below or equal to said power level limit.

In similar fashion, independent apparatus Claim 7 recites in part,

> said apparatus further includes a local temperature estimator, that performs a local temperature estimation per block of the display based on said local power values and the previously estimated power values, according to the formula:
>
> $$T(i,j)_t = T(i,j)_{t-1} + a \cdot P(i,j)_t - D$$
>
> where $T(i,j)_t$ is the new estimated local temperature of a block, where $T(i,j)_{t-1}$ is the previous estimated local temperature of a block, where $a \cdot P(i,j)_t$ is the power being dissipated in the block and D is the power dissipation corresponding to the heat being given to the environment, said apparatus further includes a maximum local temperature selector that selects the maximum local temperature from the estimated local temperatures, a maximum power level limit selector that assigns a maximum power level limit to the selected maximum local temperature, and a power level limiter, wherein the power level limiter restricts the range of selectable power level modes in the power level mode selector to power level modes having a power level below or equal to said selected maximum power level limit.

In contrast, Hosoi et al. completely fails to disclose or suggest at least the feature that the local temperature estimation is made in dependence of the local

temperature value in a previous estimation cycle. Hosoi et al. provides no teaching whatsoever to use prior values of a local temperature estimation in combination with local power values to obtain a local temperature estimate that is then used to obtain a maximum local temperature and maximum power level limit for restricting the range of selectable power level modes. For at least these reasons, independent method claim 1 and corresponding apparatus claim 7 are patentable over Hosoi et al.

The above notwithstanding, Hosoi et al. shows in Fig. 3 that RGB signals are synthesized, and that with the synthesized RGB signals an APL (average picture level) is calculated. The APL value of a block is directly compared to a reference value for power level control, as discussed in col. 9, lines 13 – 36. Nowhere is it shown in Hosoi et al, that the APL calculating block 105 performs a local temperature estimation, much less a local temperature estimation as recited in present claims 1 and 7.

For at least the foregoing reasons, independent claims 1 and 7 are patentably distinguishable over the Hosoi et al. reference and should be allowed; reconsideration and removal of this 35 USC 103(a) rejection is respectfully requested.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (215) 542-5824, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,

By: Edward J. Howard
Attorney for Applicant
Registration No. 42,670

THOMSON Licensing Inc.
PO Box 5312
Princeton, NJ 08543-5312

Date: February 27, 2005

CERTIFICATE OF MAILING

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, Alexandria, Virginia 22313-1450 on:

Feb. 23, 2005
Date

Edna Schmittinger